

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JEREMY HALL,

Plaintiff,

-vs-

ANDREW M. SAUL, Commissioner  
of the Social Security Administration,

Defendant.

Case No. CIV-19-0093-F

**ORDER**

Plaintiff Jeremy Hall brings this action pursuant to 42 U.S.C. § 405(g), seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying plaintiff's application for disability insurance benefits and supplemental security income payments under the Social Security Act.


The Report and Recommendation of Magistrate Judge Gary M. Purcell dated October 23, 2019 (the Report, doc. no. 20) recommends reversing and remanding the decision of the Commissioner for further administrative proceedings. The Report found that, as argued by plaintiff in his appeal, the Administrative Law Judge never analyzed or referenced Dr. Wayne Bentham's opinion that plaintiff meets the requirements for Listing 12.04. (Dr. Bentham is one of the medical experts who testified at plaintiff's second administrative hearing.) Noting that the regulations require the ALJ to consider all medical opinions and that the ALJ must provide a proper explanation to support his findings, the Report recommends

reversal and remand for further administrative proceedings. The Commissioner objected to the Report, arguing, among other things, that this matter should not be remanded as doing so would only needlessly prolong administrative proceedings, and arguing that substantial evidence of record supports the Commissioner's determination that plaintiff did not meet the disability requirements of the Act.

The court has reviewed all objected to matters *de novo*. Having done so, and having reviewed the Report, the record, and the relevant arguments and authorities, the court agrees with the recommendation stated in the Report. The court also finds that given the detailed analysis set out in the Report, no purpose would be served by any further discussion of the issues here.

Accordingly, the Commissioner's objections to the Report are **DENIED**. Doc. no. 21. The court **ACCEPTS, ADOPTS** and **AFFIRMS** the findings and recommendations of the magistrate judge as stated in the Report. Doc. no. 20. In accordance with that Report, the decision of the Commissioner denying plaintiff's application for benefits is hereby **REVERSED** and **REMANDED** for further administrative proceedings.

IT IS SO ORDERED this 4<sup>th</sup> day of December, 2019.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE